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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,584	07/16/2003	Calvin Modawell	LEAR 04123 PUS	8883
34007	7590	12/15/2004	EXAMINER	
BROOKS KUSHMAN P.C. / LEAR CORPORATION 1000 TOWN CENTER TWENTY-SECOND FLOOR SOUTHFIELD, MI 48075-1238			JENKINS, JERMAINE L	
			ART UNIT	PAPER NUMBER
			2855	

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/620,584	Applicant(s) MODAWELL ET AL.	
	Examiner Jermaine Jenkins	Art Unit 2855	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>07162003</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fioletta et al (5,717,135) in view of Furuichi et al (5,814,725).

In regards to claims 1, 10 & 19, Fioletta et al teaches a tire monitoring system having the sensor assembly (101) including a first sensor (129, being read as a pressure sensor) for detecting a tire parameter (Column 6, lines 1-11) and a second sensor (1502, being as a hall effect sensor) for detecting proximity of the sensor assembly to the wheel based on the position of the second sensor (1502) relative to the wheel (Column 14, lines 1-47). However, Fioletta et al does not teach the sensor assembly mountable on the wheel.

Furuichi et al teaches a tire pressure detecting apparatus mounting a sensor assembly (4, being read as a sensor unit) directly to the wheel (Column 1, lines 36-55; See Figure 15). It would have been obvious to one having ordinary skill in the art at the time the invention was made to mount the sensor assembly onto the wheel as taught by Furuichi et al into the tire monitoring system of Fioletta et al as opposed to the valve stem since this would not require a separate independent power source for the sensor (See Furuishi et al; Column 1, lines 14-27).

With respect to claims 2, 11 & 15, Fioletta et al teaches the sensor assembly is disposed on the wheel by using an adhesive

With respect to claims 3 & 12, Fioletta et al teaches the first and second sensors are mounted on a circuit board (Column 6, lines 41-48).

With respect to claims 4 & 13, Fioletta et al teaches a protective cover (105) disposed around the first and second sensors (Column 5, lines 35-38: See Figure 1).

With respect to claim 5, Furuichi et al teaches the sensor assembly (4) is disposed on a drop center portion of the wheel (See Figure 15).

With respect to claims 6, 14 & 18, Fioletta et al teaches second sensor is a hall effect sensor (1502) that detects detachment of the sensor assembly from the wheel based on the position of the second sensor relative to a magnet positionable proximate to the wheel (Column 14, lines 1-47).

With respect to claims 8, 16 & 20, Fioletta et al teaches wherein the sensor assembly further comprises a bracket (1602, being read as a fixed member) for positioning the second sensor relative to the magnet (Column 14, lines 54-58; See Figure 16).

With respect to claim 9, Furuichi et al teaches the use of an aperture (6, being read as a communication hole) located between the sensor and the magnet (Column 1, lines 36-55; See Figure 15).

Allowable Subject Matter

3. Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jermaine Jenkins whose telephone number is 571-272-2179. The examiner can normally be reached on Monday-Friday 8am-430pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on 571-272-2180. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jermaine Jenkins
A.U. 2855



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